



To the Honorable Council
City of Norfolk, Virginia

October 23, 2012

From: Frank M. Duke, AICP, Planning Director

Subject: Tidewater Realty and Security Corp. by Judy Swystun, for the following applications:

- a. To amend Chapter 6, Section 6-4.3 and Table 6-5 "Commercial Districts" of the *Zoning Ordinance of the City of Norfolk, 1992*, as amended, to revise minimum lot area and lot width requirements and to add Taxicab Operation as a Special Exception use in the C-4 (Large Scale Commercial) zoning district.
- b. 6257-6259, 6263, 6267 Sewells Point Road:
 - i) For a *General Plan* Amendment from Low Density Residential to Commercial/Office.
 - ii) For a Rezoning from Conditional C-2 (Corridor Commercial) zoning district to Conditional C-4 (Large Scale Commercial) district.
 - iii) For a Special Exception to permit a Taxicab Operation.
- c. 6262 and 6266 Sewells Point Road and 6249 and 6301 Chesapeake Boulevard:
 - i) For a Rezoning from C-2 (Corridor Commercial) and Five Points Pedestrian Commercial Overlay District (PCO-5 PTS) zoning districts to Conditional C-4 (Large Scale Commercial) district.
 - ii) For a Special Exception to permit a Taxicab Operation.

Reviewed: Anne F. Odell, AICP, Assistant City Manager

Ward/Superward: 3/7

Approved:

Marcus D. Jones, City Manager

Item Number:

C-5

I. **Recommendation:** Schedule Public Hearing

- II. **Applicant:** Tidewater Realty and Security Corp. by Judy Swystun
6257-6259, 6263, 6267 Sewells Point Road
6262 and 6266 Sewells Point Road
6249 and 6301 Chesapeake Boulevard

III. **Description**

- The applicant is currently operating a Taxicab Operation from these locations.
- In 2004 the parcel located on the west side of Sewell Point Road was conditionally rezoned to accommodate an expansion of the Taxicab use with the addition of offices, parking, and training for drivers.
- The applicant has been utilizing the site on the east side of Sewells Point Road for many years
- To accommodate the proposed improvements to these sites and to bring both of these sites into compliance with the *Zoning Ordinance*, the applicant proposes a text amendment, *General Plan* amendment and conditional rezoning.

IV. **Analysis**

- The sites are oriented towards Sewells Point Road which is developed with a mix of commercial, residential and institutional uses.
- The sites are to the north of the 5 Points Pedestrian Commercial Overlay (PCO-5 Points) district which is developed with commercial uses.

Text Amendment

- The text amendment would amend the C-4 (Large Scale Commercial) district to eliminate the minimum dimensional requirements (200 feet width and 1 acre area), consistent with the revisions done earlier this year for Industrial zoning districts.
- The proposed text amendments do not include any changes that are inconsistent with the policies of the *General Plan*.
- There are a very limited number of C-4 districts
 - The proposed amendment would have limited impact.
- The C-4 district allows most automobile related uses by right or by Special Exception
 - The addition of Taxicab Operation as a use is compatible with the other uses allowed in the C-4 district and is in keeping with the intent of the district.

General Plan Amendment (6257-6259, 6263, 6267 Sewells Point Road)

- The *General Plan* designates this site as Low Density Residential, making the proposed use inconsistent with the *General Plan*.
- The zoning of this site was changed from residential to commercial in 1993, and the site has been utilized for commercial purposes since that time.

- This represents a change in conditions since the adoption of the *General Plan* in 1992 that was not reflected with a plan amendment at the time of the rezoning.
- The proposed General Plan, *plaNorfolk2030*, designates this site as Single Family Traditional.
 - If the plan amendment is approved, staff will adjust the designation in *plaNorfolk2030* from Single Family Traditional to Commercial.

Change of Zoning

- 6257-6259, 6263, 6267 Sewells Point Road
 - The site located on the west side of Sewells Point Road is zoned Conditional C-2 (Corridor Commercial).
 - The conditions of the current zoning permit the use of the site for a Taxicab Operation.
 - If the plan amendment is approved, the request would be consistent with the *General Plan*.
 - This rezoning is expected to generate approximately 19 new vehicle trips per day.
 - The proposed rezoning of this site to C-4 would continue the conforming status of the Taxicab Operation and would encapsulate both sites currently being used for the Taxicab Operation under the same zoning.
 - The rezoning would require improvements be made to the site including the elimination of a driveway along Sewells Point Road and landscaping where none currently exists at 6257-6259 Sewells Point Road.
 - The proposed rezoning better captures the nature of the use as a large-scale automobile-related use.
- 6262 and 6266 Sewells Point Road and 6249 and 6301 Chesapeake Boulevard
 - The *General Plan* designates this site as Commercial/Office, making the proposed rezoning consistent with the *General Plan*.
 - The *Five Points Community Streetscape Master Plan* identifies the east side of Sewells Point Road in this area as a location for a 4-foot planting strip for ornamental trees between the curb and sidewalk.
 - In order to be fully consistent with the *General Plan*, the proposed rezoning should be conditioned to require the removal of the paved parking pad located between the sidewalk and the curb and the installation of a planting strip with appropriate ornamental vegetation.
 - This site is currently zoned C-2 and is located in the 5 Points PCO which does not permit a Taxicab Operation.
 - The proposed rezoning would require that the proposed improvements of the site be processed through the Site Plan Review Process and would bring the current use of the property into compliance with zoning requirements.

Special Exception

- 6257-6259, 6263, 6267 Sewells Point Road
 - If the plan amendment is approved, the request would be consistent with the *General Plan*.
 - If the text amendment is approved, the request would be consistent with the requirements of the Zoning Ordinance.
 - The Special Exception would permit the continued use of the Taxicab Operation under the proposed C-4 zoning.
- 6262 and 6266 Sewells Point Road and 6249 and 6301 Chesapeake Boulevard
 - The *General Plan* designates this site as Commercial/Office, making the proposed special exception consistent with the *General Plan*.
 - If the text amendment is approved, the request would be consistent with the requirements of the Zoning Ordinance.
 - The Special Exception would permit the continued use of the Taxicab Operation under the proposed C-4 zoning.

V. Financial Impact

- The applicant is current on all real estate taxes.
- The site improvements proposed should enhance the value of the property.

VI. Environmental

- The applicant has proffered conditions to improve the site on the west side of Sewells Point Road and will be required to improve the site on the east side of Sewells Point Road in compliance with the *Zoning Ordinance*, including stormwater and landscaping.
 - These improvements should have a positive impact on this corridor.
- The applicant attended the Norview Task Force meeting on September 12th and received their support.

VII. Community Outreach/Notification

- Legal notice was posted on the property on July 17.
- Legal notice was posted on the property on August 21.
- Letter was mailed to the Norview Civic League President on September 7.
- Notice was sent to the civic leagues by the Department of Communications on September 11.
- Letters were mailed to all property owners within 300 feet of the property on September 11.
- Legal notification was placed in *The Virginian-Pilot* on September 13 and 20.
- The Planning Commission Public Hearing was held on September 27, 2012.
- Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action

By a vote of **7 to 0**, the Planning Commission recommended that the request to amend the *General Plan*, amend the *Zoning Ordinance*, rezone and for the Special Exceptions be **approved**, subject to the conditions outlined in the attached ordinances.

IX. Coordination/Outreach

This report has been coordinated with the Department of Planning and Community Development and the City Attorney's Office.

Supporting Material from the Department of Planning and Community Development:

- Proponents and Opponents
- Ordinance
- Location Map
- Zoning Map
- Site Improvement Plan and Fence
- Application
- Letter to the Civic League

Proponents and Opponents

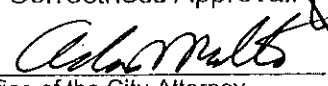
Proponents

Robert Beaman
103 Bobby Jones Drive
Portsmouth, VA 23701

Opponents

None

9/26/12 ts

Form and Correctness Approval: By 
Office of the City Attorney

Contents Approved:

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND AND REORDAIN SECTION 6-4.3 AND TABLE 6-5 OF THE ZONING ORDINANCE OF THE CITY OF NORFOLK, 1992, SO AS TO PERMIT TAXICAB OPERATION IN THE C-4 (LARGE SCALE COMMERCIAL) DISTRICT BY SPECIAL EXCEPTION.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That Section 6-4.3 of the Zoning Ordinance of the City of Norfolk 1992 (as amended), entitled "Minimum lot area and lot width," is hereby amended and reordained so as to remove the specific requirements for minimum lot area and minimum lot width in the C-4 (Large Scale Commercial) District. The existing text and table in said section shall be removed and the new text shall read as forth in "Exhibit A," attached hereto.

Section 2:- That Table 6-5 of the Zoning Ordinance of the City of Norfolk 1992 (as amended), entitled "Table of Principal Uses for Commercial Districts," is hereby amended and reordained so as to permit "Taxicab Operation" by special exception in the C-4 (Large Scale Commercial) District as a permitted use. The text shall read as forth in "Exhibit B," attached hereto.

Section 3:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (1 page)

Exhibit B (4 pages)

Exhibit A

6-4.3 *Reserved.*

Exhibit B

6-5 TABLE OF PRINCIPAL USES FOR COMMERCIAL DISTRICTS

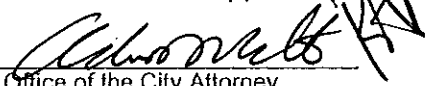
LEGEND P - Permitted Use S - Special Exception Use	PRINCIPAL USES, BY DISTRICT			
	COMMERCIAL DISTRICTS			
USE	C-1	C-2	C-3	C-4
<u>RESIDENTIAL</u>				
Dwelling Unit, above ground floor only	S	S		
<u>OFFICE AND RELATED USES</u>				
Financial Institutions	P	P	P	
Offices	P	P	P	
<u>RETAIL SALES AND SERVICES</u>				
Adult Bookstore		S		
Adult Mini-Motion Picture		S		
Adult Movie Picture		S		
Auction Sales		P		
Automobile Repair		S	S	P
Automobile Sales and Service		S		S
Automobile and Truck Rental		P		P
Boat Sales and Service		P		P
Car Wash		S		
Check Cashing Establishment		S		
Commercial Drive-Through	S	S	S	S
Eating and Drinking/Entertainment Establishment		S	S	
Eating Establishment		P	P	
Establishments for the sale of alcoholic beverages for off-premises consumption	S	S	S	
Establishment for the sale of distilled spirits		S	S	
Gas Station (sales only)	S	S	S	
Gas Station (sales and minor repair)		S	S	
Health and Fitness Facility	P	P	P	

Manufactured Home Sales and Service				P
Massage Parlor		S		
Pawnshop		S		
Payday Loan and/or Auto Title Loan Establishment		S		
Retail Goods Establishments	P	P	P	
Retail Services Establishments	P	P	P	
Retail Goods Establishments (operating after midnight)	S	S	S	
Retail Services Establishments (operating after midnight)	S	S	S	
Used Merchandise Sales		S	S	
<u>INSTITUTIONAL USES (Sites< 1 Acre)</u>				
Adult Day Care Center	P	P		
Child Day Care Center	P	P	P	
Dental Offices/Clinics		P	P	
Government Building and Site (excluding those of an industrial nature)	P	P	P	
Medical Offices/Clinics		P	P	
Museum	P	P		
Music Conservatory	P	P		
Religious Institutions	P	P		
Schools, kindergarten	P	P		
Schools, professional and vocational		P		
<u>HEAVY COMMERCIAL AND MANUFACTURING</u>				
Bakery	P	P	P	
Laboratory; Medical, Dental, Optical		P		
Laboratory; Testing		P		
Mini-Warehouse		P	S	P
Motion Picture Studio		P		
Photofinishing Lab		P		
Plant and Garden Shop	P	P	P	
Sign Painting		P		

<u>RECREATION, CULTURAL & ENTERTAINMENT</u>				
After Hours Membership Organizations		S	S	
Amusement Park				S
Arena, Stadium, Sports Field				S
Art Gallery	P	P	P	
Art Studio	P	P	P	
Commercial Indoor Recreation		P	P	
Commercial Outdoor Recreation		S	S	P
Commercial Recreation Centers		S	S	
Dance Studio	P	P	P	
Live Performance Theaters		P	P	
Membership Organizations	P	P	P	P
Movie Theaters		P	P	
Personal Watercraft Rental		S		
<u>MISCELLANEOUS</u>				
Assembly Hall		P		
Boatels		S		
Commercial Parking Garage	P	P	P	
Communication Tower/Antenna (Commercial)	S	S	S	S
Contractor's office (no exterior storage)		P	P	
Farmer's Market		P		P
Fishing Pier		P		
Flea Market (indoor)		S		S
Flea Market (outdoor)				S
Funeral Home		P		
Hiring Hall		P		
Hotel or Motel		P	P	
Marinas, excluding boat repairs		P		
Mixed Uses		S		
Off-Site Parking		S		
Outdoor Advertising Signs		S	S	S

Public Utility Building and Site (excluding storage and maintenance facilities)	P	P	P	P
Radio, Television Station		P	P	
Recycling Collection Station		P	P	
Taxicab Operation				S
Veterinary Office		P	P	
Yacht Club		P		
Vendors		P	P	P

9/26/12 ts
Form and Correctness Approval

By 
Office of the City Attorney

Contents Approved:

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND THE GENERAL PLAN OF NORFOLK, 1992, SO AS TO CHANGE THE LAND USE DESIGNATION FOR PROPERTIES LOCATED AT 6257 TO 6259, 6263, AND 6267 SEWELLS POINT FROM LOW DENSITY RESIDENTIAL TO COMMERICAL/OFFICE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the land use designation set forth in the General Plan of Norfolk, 1992, for the properties located at 6257 to 6259, 6263, and 6267 Sewells Point Road are hereby changed from Low Density Residential to Commerical/Office. The properties which are the subject of this change in land use designation are more fully described as follows:

Properties fronting 295 feet, more or less, along the western line of Sewells Point Road, beginning 354 feet, more or less, from the southern line of Partridge Street and extending southwardly; premises numbered 6257 to 6259, 6263, and 6267 Sewells Point Road.

Section 2:- That this ordinance shall be in effect from the date of its adoption.

9/26/12 ts

Form CCO-003

Form and Correctness Approval:

Contents Approved:

By 
Office of the City Attorney

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTIES LOCATED AT 6257 TO 6259, 6263, AND 6267 SEWELLS POINT ROAD FROM C-2 (CORRIDOR COMMERCIAL) DISTRICT TO CONDITIONAL C-4 (LARGE SCALE COMMERCIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the properties located at 6257 to 6259, 6263, and 6267 Sewells Point Road are hereby rezoned from C-2 (Corridor Commercial) District to Conditional C-4 (Large Scale Commercial) District. The properties are more fully described as follows:

Properties fronting 295 feet, more or less, along the western line of Sewells Point Road, beginning 354 feet, more or less, from the southern line of Partridge Street and extending southwardly; premises numbered 6257 to 6259, 6263, and 6267 Sewells Point Road.

Section 2:- That the property rezoned by this ordinance shall be subject to the following conditions:

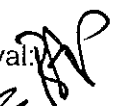
- (a) The use of the site shall be restricted to offices (and accessory uses including the storage of records and files), classrooms, and parking for employees, drivers, and taxis.
- (b) No wrecked or inoperative vehicles shall be stored on the site.
- (c) The hours of operation shall be limited to 7:00 a.m. until 11:00 p.m., seven days per week.
- (d) Landscaping shall be planted along the property in front of the building and

between the driveways located at 6267 Sewells Point Road in accordance with the standards of Chapter 17 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Landscaping and Buffers."

- (e) The curb cut and driveway at 6257 to 6259 shall be eliminated.

Section 3:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

9/26/12 ts
Form and Correctness Approval: 

By 
Office of the City Attorney

Contents Approved:

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A TAXICAB OPERATION ON PROPERTIES LOCATED AT 6257 TO 6259, 6263, AND 6267 SEWELLS POINT ROAD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted authorizing the operation of a Taxicab Operation on properties located at 6257 to 6259, 6263, and 6267 Sewells Point Road. The properties which are the subject of this Special Exception are more fully described as follows:

Properties fronting 295 feet, more or less, along the western line of Sewells Point Road, beginning 354 feet, more or less, from the southern line of Partridge Street and extending southwardly; premises numbered 6257 to 6259, 6263, and 6267 Sewells Point Road.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The use of this site will be restricted to offices (and accessory uses including the storage of records and files), classrooms, and parking spaces for employee, drivers, and taxis.
- (b) No wrecked or inoperative vehicles will be stored on this site.
- (c) Landscaping shall provided in accordance with the standards of Chapter 17 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Landscaping and Buffers."
- (d) The property will be developed in accordance

with the requirements of Chapter 26 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Site Plan Review."

- (e) On-site lighting shall be directed so there shall be no excessive glare on nearby properties.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;

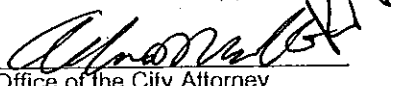
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

10/3/12 ts

Form and Correctness Approval

Contents Approved:

By 
Office of the City AttorneyBy 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A TAXICAB OPERATION ON PROPERTIES LOCATED AT 6262 AND 6266 SEWELLS POINT ROAD AND 6249 AND 6301 CHESAPEAKE BOULEVARD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted authorizing the operation of a Taxicab Operation on properties located at 6262 and 6266 Sewells Point Road and 6249 and 6301 Chesapeake Boulevard. The properties which are the subject of this Special Exception are more fully described as follows:

Properties fronting 265 feet, more or less, along the western line of Chesapeake Boulevard, 158 feet, more or less, along the southern line of Strand Street, and 265 feet, more or less, along the eastern line of Sewells Point Road; premises numbered 6262 and 6266 Sewells Point Road and 6249 and 6301 Chesapeake Boulevard.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The use of the site shall be restricted to offices (and accessory uses including the storage of records and files), classrooms, and parking for employees, drivers, and taxis, automobile maintenance, and gasoline dispensing facilities associated with the taxicab operation.
- (b) No wrecked or inoperative vehicles will be stored on this site.
- (c) Landscaping shall provided in accordance with the standards of Chapter 17 of the Zoning Ordinance of the City of Norfolk,

1992 (as amended), entitled "Landscaping and Buffers."

- (d) The property will be developed in accordance with the requirements of Chapter 26 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Site Plan Review."
- (e) On-site lighting shall be directed so there shall be no excessive glare on nearby properties.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public

facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;

- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

10/3/12 ts

Form CCO-003

Form and Correctness Approval:

Contents Approved:

By [Signature]
Office of the City Attorney

By [Signature]
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTIES LOCATED AT 6262 AND 6266 SEWELLS POINT ROAD AND 6249 AND 6301 CHESAPEAKE BOULEVARD FROM C-2 (CORRIDOR COMMERCIAL) DISTRICT AND FIVE POINTS PEDESTRIAN COMMERCIAL OVERLAY (PCO-5PTS) DISTRICT TO CONDITIONAL C-4 (LARGE SCALE COMMERCIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the properties located at 6262 and 6266 Sewells Point Road and 6249 and 6301 Chesapeake Boulevard are hereby rezoned from C-2 (Corridor Commercial) and Five Points Pedestrian Commercial Overlay (PCO-5 PTS) District to Conditional C-4 (Large Scale Commercial) District. The properties are more fully described as follows:

Properties fronting 265 feet, more or less, along the western line of Chesapeake Boulevard, 158 feet, more or less, along the southern line of Strand Street, and 265 feet, more or less, along the eastern line of Sewells Point Road; premises numbered 6262 and 6266 Sewells Point Road and 6249 and 6301 Chesapeake Boulevard.

Section 2:- That the property rezoned by this ordinance shall be subject to the following conditions:

- (a) The use of the site shall be restricted to offices (and accessory uses including the storage of records and files), classrooms, and parking for employees, drivers, and taxis, automobile maintenance, and gasoline dispensing facilities associated with the taxicab operation.
- (b) No wrecked or inoperative vehicles shall be

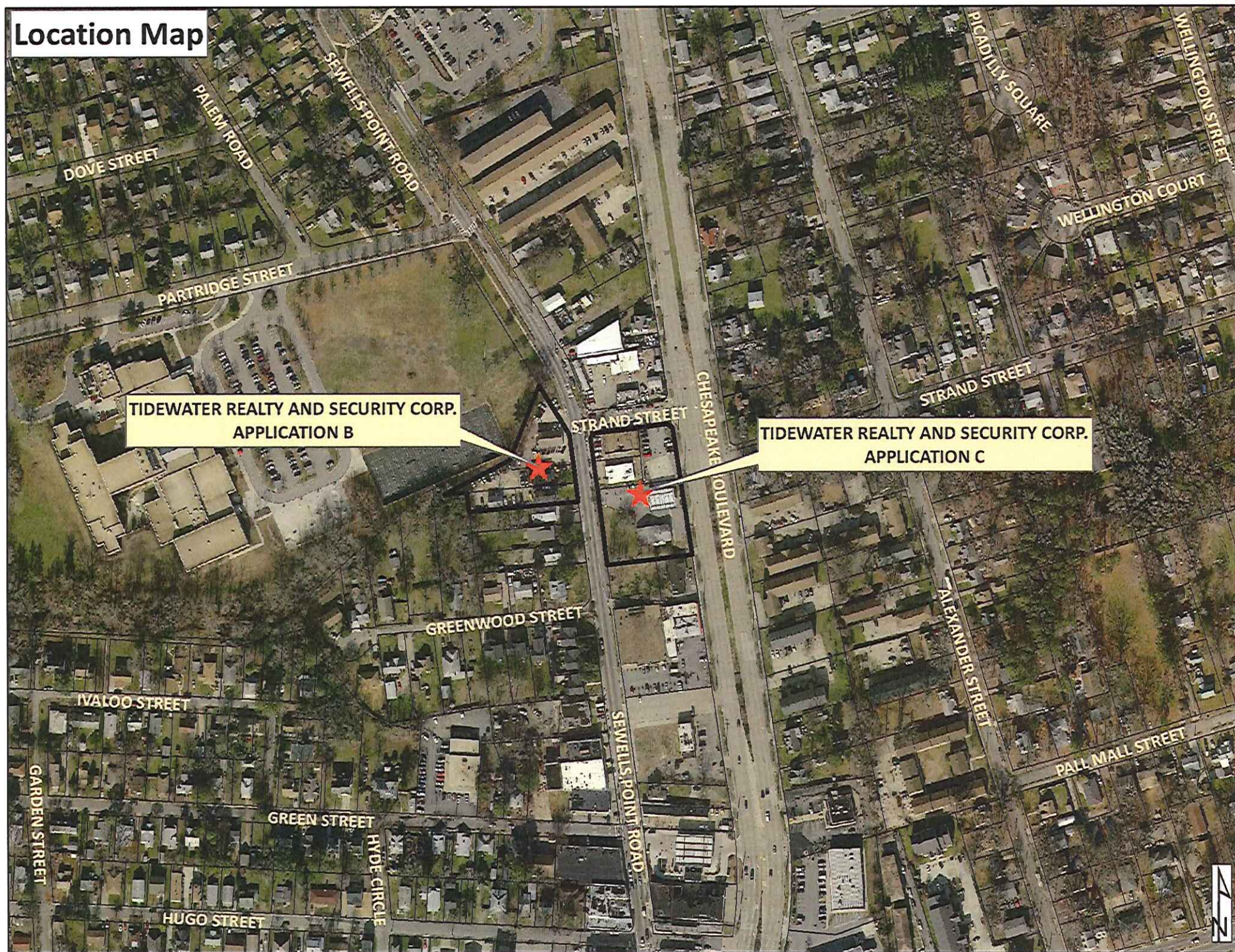
stored on the site.

- (c) Only those vehicles used in conjunction with fleet operations shall be maintained or fueled on this site. No fueling or repair services shall not be available to the general public.
- (d) The site shall be developed in accordance with the requirements of Chapter 26 of the City of Norfolk Zoning Ordinance, 1992 (as amended), entitled "Site Plan Review," and generally as depicted on the Conceptual Site Plan entitled "Proposed Site Improvements to Tidewater Realty and Security Corp," prepared by Lyall Design Architects, dated August 10, 2012, and submitted to the Department of Planning.
- (e) Ornamental fencing shall be provided on the property in substantial conformance with the design depicted on the exhibit entitled "Proposed Ornamental Security Fence/Gate for Proposed Site Improvements to Tidewater Realty and Security Corp," prepared by Lyall Design Architects, dated August 10, 2012, and submitted to the Department of Planning.
- (f) Landscaping shall provided in accordance with the standards of Chapter 17 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Landscaping and Buffers."

Section 3:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

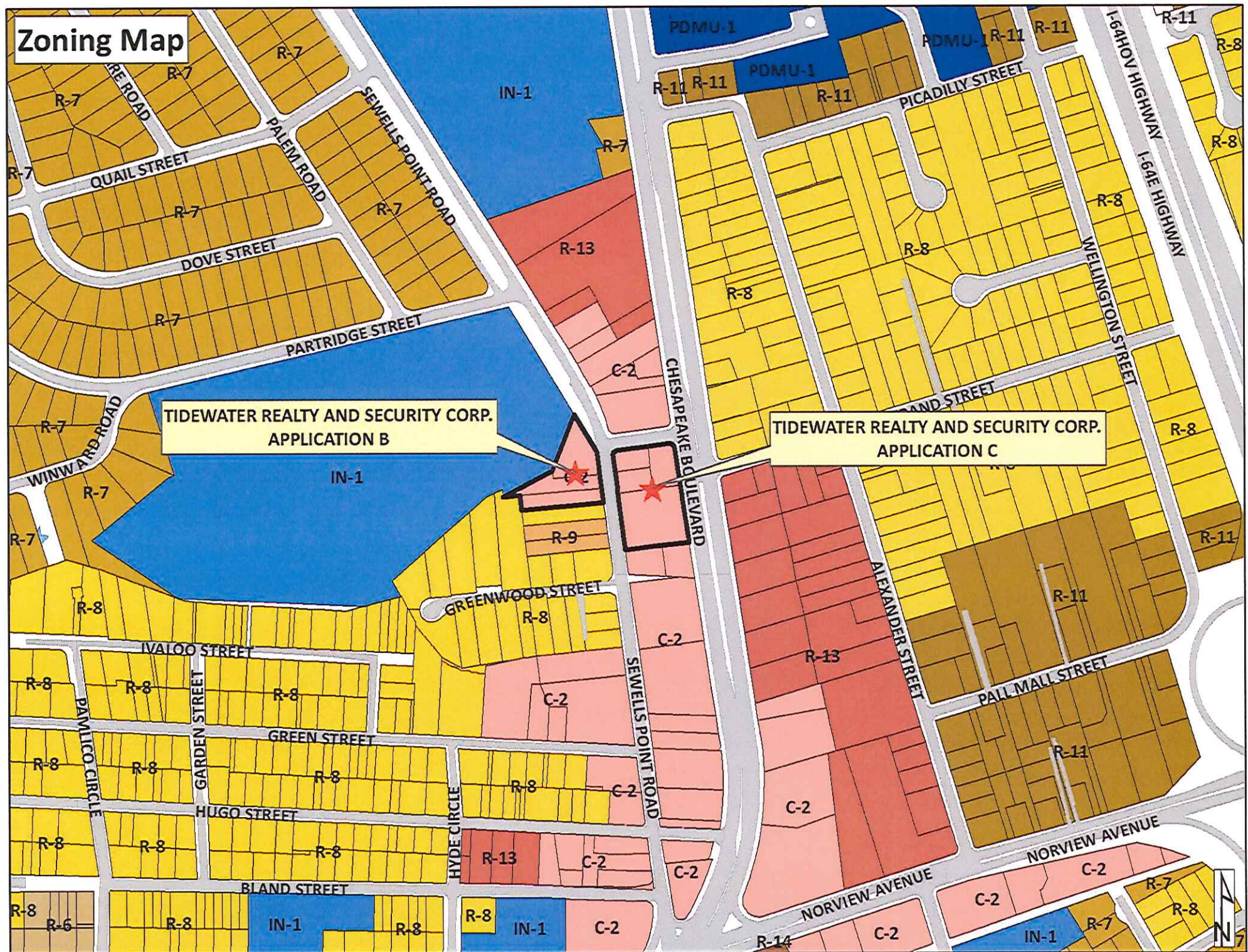
Location Map

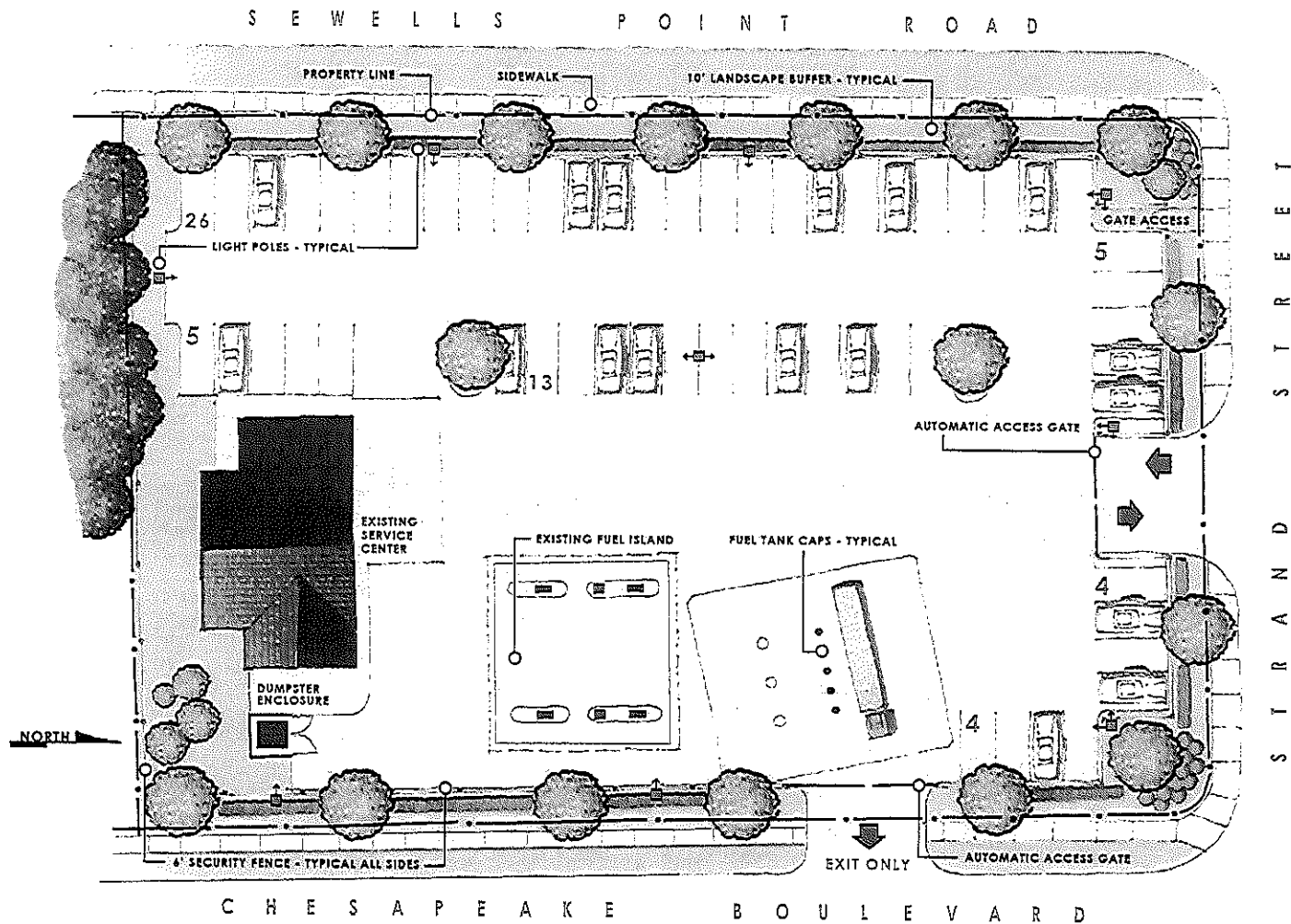


TIDEWATER REALTY AND SECURITY CORP.
APPLICATION B

TIDEWATER REALTY AND SECURITY CORP.
APPLICATION C

Zoning Map





PROPOSED SITE IMPROVEMENTS TO

TIDEWATER REALTY AND SECURITY CORP.

NORFOLK, VIRGINIA

AUGUST 10, 2012

THIS DOCUMENT IS THE SOLE PROPERTY OF LYALL DESIGN ARCHITECTS, INC., A PROFESSIONAL CORPORATION, NORFOLK, VIRGINIA. THE USE OF THIS DOCUMENT AND/OR DESIGN IN WHOLE OR IN PART IS STRICTLY PROHIBITED WITHOUT EXPRESS WRITTEN CONSENT, COPYRIGHT 2012.



LYALL DESIGN
ARCHITECTS

PROJECT # 1226



ORNAMENTAL SECURITY FENCE



ORNAMENTAL SECURITY GATE

PROPOSED ORNAMENTAL SECURITY FENCE/GATE FOR
TIDEWATER REALTY AND SECURITY CORP.

NORFOLK, VIRGINIA

AUGUST 10, 2012

THIS DOCUMENT IS THE SOLE PROPERTY OF LYALL DESIGN ARCHITECTS, INC., A PROFESSIONAL CORPORATION, NORFOLK, VIRGINIA. THE USE OF THIS DOCUMENT AND/OR DESIGN IN WHOLE OR IN PART IS STRICTLY PROHIBITED WITHOUT EXPRESS WRITTEN CONSENT. COPYRIGHT 2012.



LYALL DESIGN
 ARCHITECTS

PROJECT # 1226



City of Norfolk

APPLICATION TEXT AMENDMENT

Date of application:

Zoning Ordinance Text Amendment

Amend Section(s)
Add New Section(s)

Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant Fax number

E-mail address of applicant:

DESCRIPTION OF AMENDMENT

Purpose of Amendment

To add "taxicab operation" to the table of principal uses for commercial districts as a use permitted only by special exception in the C-4 zoning classification.

REQUIRED ATTACHMENTS

√ Language for the text amendment (*see Example attached).

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

SIGNED: _____

(Applicant signature)

(Date)

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

6-5 - Table of Principal Permitted Uses for Commercial Districts.

LEGEND	PRINCIPAL USES, BY DISTRICT			
P = Permitted Use S = Special Exception Use	COMMERCIAL DISTRICTS			
USE	C-1	C-2	C-3	C-4
MISCELLANEOUS				
Taxicab Operation				S



APPLICATION
CONDITIONAL CHANGE OF ZONING

Date of application: 8/13/2012

Conditional Change of Zoning

From: C2/PCOF Zoning To: Conditional I-2 Zoning

DESCRIPTION OF PROPERTY

Property location: (Street Number) (Street Name)
Please see attached sheet (multiple parcels)

Existing Use of Property: Taxi Cab Operation with Associated Facilities; Vacant Gas Station and Office

Current Building Square Footage

Proposed Use: Taxi Cab Operation with Accessory Facilities

Proposed Building Square Footage

Trade Name of Business (If applicable) N/A

APPLICANT/ PROPERTY OWNER

1. Name of applicant: (Last) Judy (First) Swystun (MI)

Mailing address of applicant (Street/P.O. Box): 6304 Sewells Point Road

(City) Norfolk (State) VA (Zip Code) 23513

Daytime telephone number of applicant (757) 853-1844

Fax ()

E-mail address of applicant: judyswystun@hotmail.com

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569

Conditional Rezoning

Page 2

2. Name of property owner: (Last) Please see attached. (First) (MI)

Mailing address of property owner (Street/P.O. box): Please see attached.

(City) (State) (Zip Code)

Daytime telephone number of owner () Fax number ()

CIVIC LEAGUE INFORMATION

Civic League contact: Norview Task Force (Hon. Anthony Burfoot; Jim Herbst)

Date(s) contacted: 7/14/12 (Meeting)

Ward/Super Ward information: Ward 3; Super Ward 7

REQUIRED ATTACHMENTS

- ▶ Check for \$415.00 made payable to: Norfolk City Treasurer
- ▶ 2 8½x14 copies of a survey or site plan drawn to scale showing:
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example).
- ▶ Proffered conditions.
- ▶ Description and details of the operation of the business (i.e., # of employees, # of bays, reason for rezoning, etc...)

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

SIGNED:

(Property owner or authorized agent signature) _____ (Date) ____/____/____

Judy Symptur 8/13/12

(Applicant signature) _____ (Date) ____/____/____

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

**TIDEWATER REALTY & SECURITY
CORP.**

By: Carolyn O Chapman
Its: President
Date: 8/13/12

**HAMPTON ROADS
TRANSPORTATION, INC.**

By: Paul W. Smyth
Its: President
Date: 8/13/12

**BLACK & WHITE CARS
INCORPORATED**

By: Paul W. Smyth
Its: President
Date: 8/13/12

NORVIEW CARS, INC.

By: David R. Olsen
Its: President
Date: 8/13/12

COLE HOLDINGS LLC

By: T H C G

Its: Owner

Date: 8-14-12

TRS HOLDING COMPANY, LLC

By: Tidewater Realty & Security Corp

Its: Sole Owner

Its: Carolyn O Chapman

Its: President

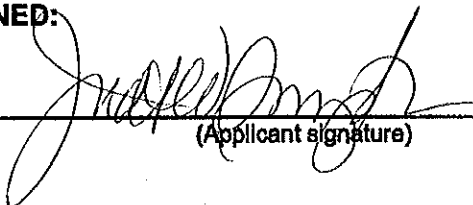
Date: 8/13/12

6262 and 6266 Sewells Point Road
6249 and 6301 Chesapeake Boulevard

PROFERRED CONDITIONS

- 1) The use of the site shall be restricted to offices (and accessory uses including the storage of records and files), classrooms, and parking spaces for employees, drivers, and taxis, automobile maintenance, and gasoline dispensing facilities associated with the taxi cab operation.
- 2) No wrecked or inoperative vehicles shall be store on the site without a current work order.
- 3) Only those vehicles used in conjunction with the ~~taxi cab~~ ^{fleet} operation shall be maintained or fueled on this site. Services shall not be offered to the general public.
- 4) The site shall be developed in accordance with Chapter 26, Site Plan Review, of the City of Norfolk Zoning Ordinance, 1992 as amended and generally as depicted on the Conceptual Site Plan prepared by Lyall Design Architects dated August 10, 2012 entitled Proposed Site Improvements to Tidewater Realty and Security Corp.
- 5) Ornamental fencing in substantial conformance with the design depicted in plans prepared by Lyall Design Architects dated August 10, 2012 entitled Proposed Ornamental Security Fence/Gate for Proposed Site Improvements to Tidewater Realty and Security Corp. shall be provided on site.
- 6)
- 7)
- 8)

SIGNED:


(Applicant signature)

9.25.12
(Date)

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508
Norfolk, Virginia 23510


Telephone (757) 664-4752 Fax (757) 441-1569

6257/6259, 6263, 6267 Sewells Point Road.

PREFERRED CONDITIONS

1. The use of the site shall be restricted to offices (and accessory uses including the storage of records and files), classrooms, and parking spaces for employees, drivers, and taxis.
2. No wrecked or inoperative vehicles shall be stored on the site.
3. The hours of operation shall be from 7:00 a.m. to 11:00 p.m., seven days a week.
4. Landscaping, in accordance with Chapter 17 Landscaping and Buffers of the City of Norfolk Zoning Ordinance, 1992 as amended, shall be planted along the property in front of the building and between the driveways located at 6267 Sewells Point Road.
5. The curb cut and driveway at 6257-6259 shall be eliminated.
- 6.
- 7.
- 8.

SIGNED:


(Applicant signature)

9, 25, 12
(Date)

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1589



City of Norfolk

APPLICATION SPECIAL EXCEPTION

Special Exception for:

Date of application:

DESCRIPTION OF PROPERTY

Property location: (Street Number) (Street Name)

Existing Use of Property

Current Building Square Footage

Proposed Use

Proposed Square Footage

Proposed Hours of Operation:

Weekday From To

Friday From To

Saturday From To

Sunday From To

Trade Name of Business (If applicable)

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

APPLICANT/ PROPERTY OWNER

1. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant () Fax number ()

E-mail address of applicant:

2. Name of property owner: (Last) (First) (MI)

Mailing address of property owner (Street/P.O. box):

(City) (State) (Zip Code)

Daytime telephone number of owner () Fax number ()

CIVIC LEAGUE INFORMATION

Civic League contact:

Date(s) contacted:

Ward/Super Ward information:

REQUIRED ATTACHMENTS:

- ✓ Check for \$265.00 made payable to: Norfolk City Treasurer.
 - ✓ 2 8½x14 copies of a survey or site plan drawn to scale showing:
 - Existing and proposed building structures
 - Driveways
 - Parking,
 - Landscaping
 - Property lines (*see attached example).
-

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

SIGNED:

Cole Holdings [Signature] 9.6.12
Print Sign Date
(Property owner or authorized agent signature)

SIGNED:

On behalf of the Applicants
Judith O. Swysten [Signature] 9.6.12
Print Sign Date
(Applicant signature)

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569

Special Exception Application

Applicants: Judy Swystun, on behalf of Tidewater Realty & Security Corp., Black & White Cars Incorporated, Norview Cars, Inc., and TRS Holding Company, LLC

Owner: Applicants (C/o Judy Swystun, 6304 Sewells Point Road, Norfolk, Virginia 23513) and Cole Holdings LLC (6249 Chesapeake Boulevard, Norfolk, Virginia 23513)

Description of Property: 6266, 6262, 6267, 6263, and 6257/6259 Sewells Point Road; and 6301 and 6249 Chesapeake Boulevard



September 7, 2012

John Randle
President, Norview Civic League
1095 Green Street
Norfolk, VA 23513

Dear Mr. Randle,

The Planning Department has received applications to amend the *General Plan*, and the *City of Norfolk Zoning Ordinance*, to Change the Zoning and for Special Exceptions to allow for the operation of a Taxi Cab Operation located at 6257-6259, 6263, 6267 Sewells Point Road, 6262 and 6266 Sewells Point Road and 6249 and 6301 Chesapeake Boulevard. This item is tentatively scheduled for the September 27, 2012 City Planning Commission public hearing.

Summary

This application is to allow Black and White Taxicab to improve these sites and come into compliance with current zoning requirements.

If you would like additional information on the request, you may contact the applicant at (757) 853-1844 or you may telephone Susan Pollock on my staff at (757) 664-4765. Copies of the applications are enclosed.

Sincerely,

Frank M. Duke, AICP
Planning Director

cc: Jim Herbst, Neighborhood Development Specialist